

**BARGAIN AND SALE DEED WITH COVENANT AGAINST GRANTOR'S  
ACTS (INDIVIDUAL OR CORPORATION)**

**FORM 8002 (short version), FORM 8007 (long version)**

CAUTION: THIS AGREEMENT SHOULD BE PREPARED BY AN ATTORNEY AND REVIEWED BY ATTORNEYS FOR SELLER AND PURCHASER BEFORE SIGNING.

**THIS INDENTURE**, made the JUNE 4, 2009,

**BETWEEN** MIRIAM ABER, of 1161 41ST STREET, BROOKLYN, New York 11218,

party of the first part, and

ZMA 42 LLC of 1555 47th STREET, BROOKLYN, New York 11219,

party of the second part;

**WITNESSETH**, that the party of the first part, in consideration of Ten Dollars and No Cents (\$10.00), lawful money of the United States, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever;

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the County of Kings, City and State of New York, with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof as more fully described in Schedule "A" attached hereto and made a part hereof,

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part, covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

**AND** the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.

Mutual Land Abstract, LLC as agent for:  
Old Republic National Title Insurance Company  
Title #: MLA 1193K  
Premises: 1037 42<sup>nd</sup> Street, Brooklyn, NY

## **LEGAL DESCRIPTION**

### **LAND DESCRIPTION**

**ALL** that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate and lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

**BEGINNING** at a point on the northeasterly side of 42<sup>nd</sup> Street distant 327 feet 8 inches northwesterly from the corner formed by the intersection of the northeasterly side of 42<sup>nd</sup> Street with the northwesterly side of Fort Hamilton Parkway;

**RUNNING THENCE** northeasterly at right angles to 42<sup>nd</sup> Street, 100 feet 2 inches to the center line of the block between 41<sup>st</sup> and 42<sup>nd</sup> Street;

**THENCE** northwesterly along the center line of the block, 33 feet 4 inches;

**THENCE**, southwesterly at right angles to 42<sup>nd</sup> Street 100 feet 2 inches to the northeasterly side of 42<sup>nd</sup> Street;

**THENCE** southeasterly along the northeasterly side of 42<sup>nd</sup> Street, 33 feet 4 inches to the point or place of **BEGINNING**.

### **For Information Only:**

Said premises also known as 1037 42<sup>nd</sup> Street, Brooklyn, New York  
County: Kings Block: 5591 Lot: 53

WITNESSED BY ZALMAN ASHER: AS HER ATTORNEY IN FACT  
MIRIAM ASHER

IN PRESENCE OF:

\_\_\_\_\_

Acknowledgment by a Person Within New York State (RPL § 309-a)

STATE OF NEW YORK )

COUNTY OF KINGS )

ss.:

On the 4 day of JUNE in the year 2009, before me, the undersigned, personally appeared ZALMAN ASHER, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that HE executed the same in HIS capacity(ies), and that by HIS signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

\_\_\_\_\_  
(signature and office of individual taking acknowledgment)

STANLEY HOLCDORF  
Notary Public, State of New York  
No. 01H06059267  
Qualified in Richmond County  
Commission Expires May 29, 2011

**SEAL**

Return & RETURN TO  
ZALMAN LLC  
1555 41<sup>st</sup> Street  
BROOKLYN, N.Y. 11219